

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEPHEN LEE CZAPLA,) CASE NO. C08-0084-RSM-MAT
)
Plaintiff,)
)
v.) ORDER DISMISSING DEFENDANTS
) FROM CIVIL RIGHTS ACTION
OFFICER KELLEY., et al.,)
)
Defendants.)
_____)

The Court, having reviewed plaintiff's amended civil rights complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's complaint and this action are DISMISSED with prejudice as to defendant McCoy;
- (3) Plaintiff's complaint and this action are DISMISSED without prejudice as to defendant Roufs, Conners, Vandenburg, and Raguso;
- (4) Judge Theiler shall issue a service order directing service of plaintiff's amended

01 complaint on defendants Kelley and Wilks so that plaintiff may pursue his
02 excessive force claim against these two defendants; and

03 (5) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable
04 Mary Alice Theiler.

05 DATED this _2_ day of June, 2008.

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09 RICARDO S. MARTINEZ
10 UNITED STATES DISTRICT JUDGE
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